



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: M. Cowart, et al.

Serial No.: 10/081,207

Filed: February 25, 2002

For: NOVEL AMINES AS HISTAMINE-3 RECEPTOR LIGANDS AND THEIR THERAPEUTIC APPLICATIONS

Examiner: V. Balasubramanian

Group Art Unit: 1624

Case No.: 6791USO2

CERTIFICATE OF MAILING (37 CFR 1.8 (a))

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to the:

Commissioner for Patents
Mail Stop AF
P.O. Box 1450
Alexandria, VA 22313-1450 on:

Date of Deposit: April 6, 2005

Kim Annel 4/6/05
Kim Annel Date

Amendment & Response after Final Rejection B

Commissioner for Patents
Mail Stop AF
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

The following is in response to the Advisory Action dated February 1, 2005. Applicant's Amendment and Response after Final Rejection B is filed within three months of the mailing of the Notice of Appeal, on January 8, 2005, within the response period set forth for an Appellant's Brief in 37 C.F.R. § 1.192(a) and in accordance with a one-month extension of time set forth in 37 C.F.R. § 1.136(a). Applicants file the response herewith in order to cancel claims and present rejected claims in a better form for appeal. Upon entry of the amendments, Claims 1-17, 23-25, 27-43, 45-47, 49-54, 61-73, 77-86, 103, 105-111, 127, 129-132, 134-136, 138-144, and 146-155 are believed to be pending and all issues for consideration upon appeal are removed.

REMARKS

In view of the Advisory Action dated February 1, 2005, Claims 1-17, 23-25, 27-43, 45-47, 49-54, 61-73, 77-86, 103, 105-111, 127, 129-132, 134-136, 138-144, 146-155, 157, and 159-164 are believed to be pending. The Examiner finds that Claims 156-162 and 164 remain rejected under 35 U.S.C. §112, first paragraph.

Claims 1, 43, 103, 127, 132, 136, and 144 have been amended to delete the term "prodrug". Applicants respectfully submit that deleting the term "prodrug" advances the prosecution of the present application and conforms with the recommendations of the Examiner.

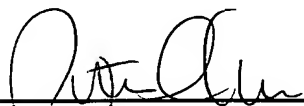
Claims 156-162 and 164 have been cancelled. Applicants respectfully reserve the right to file a continuing or divisional application claiming any subject matter within the scope of the cancelled claims.

It is submitted that the amendment complies with 37 C.F.R. § 1.116 and removes all issues for appeal. Accordingly, Applicants respectfully request entry of the amendments to the claims.

As such, it is believed that the present application is in a condition for allowance and notification of the same is respectfully requested.

Respectfully submitted,
M. Cowart, et al.

ABBOTT LABORATORIES
Customer No. 23492
Telephone: (847) 937-8272
Facsimile: (847) 938-2623



Portia Chen
Registration No. 44,075
Attorney for Applicants